IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24445 of 2008
CHARITAR MAHTO & ORS
Versus
STATE OF BIHAR
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3 23.9.2008 Heard learned counsel for the petitioners and learned APP for the State.

All the four petitioners are in custody in Adapur P.S. Case No. 5 of 2008 for the offence under sections 323, 302 read with 34 of the Indian Penal Code.

Submission of learned counsel for the petitioner is that there is a case and counter case as would be evident from perusal of annexure-2 brought on record. Besides according to the F.I.R. though the petitioners were part of the mob which committed the crime but it is alleged that these petitioners have assaulted some individuals with lathi and there is no allegation against them of having committed death.

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Keeping the background material as well as the role assigned to these petitioners, let the petitioners, namely, (1) Charitar Mahto, (2) Susindra Mahto, (3) Sikandar Mahto and (4) Santosh Mahto be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rs. Twenty thousand) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Sikerhana at Motihari in connection with Adapur P.S. Case No. 5 of 2008.

RPS (Ajay Kumar Tripathi,J.)